

# Montana Department of Public Health and Human Services (DPHHS)

## HELP and WASP Section 1115 Demonstration Waiver Amendments

August 24, 2021 Tribal Consultation



# Agenda

1. Background
2. Proposed Waiver Amendment Requests for HELP and WASP
3. Waiver Implementation and Evaluation
4. Timeline and Submission of Public Comment

# Objective of Today's Presentation

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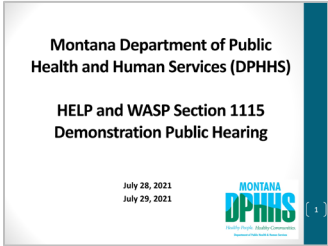


- **Provide an overview of the pending HELP Section 1115 Waiver Request;**
- **Review the HELP Section 1115 Waiver Amendment Request and WASP Section 1115 Wavier Amendment Request**

# Accessing Montana HELP Materials

Information on Montana HELP Waiver can be found on the DPHHS web page:

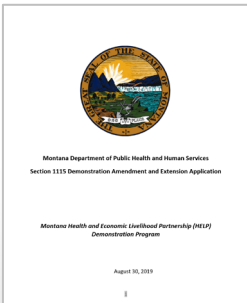
<https://dphhs.mt.gov/helplan/2021medicaidnotice>



## This Presentation



## The Public Notice

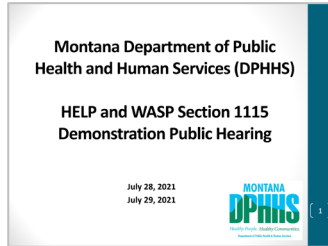


## The Montana HELP Waiver Application

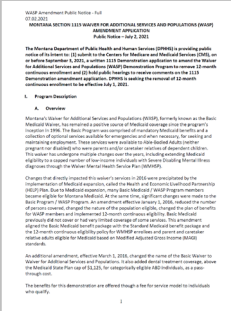
# Accessing Montana WASP Materials

Information on Montana WASP Waiver can be found on the DPHHS web page:

<https://dphhs.mt.gov/montanahealthcareprograms/medicaid/2021waspwaiver>



## This Presentation



## The Public Notice



## The Montana WASP Waiver Application

# Submitting Public Comments

**The HELP Waiver and WASP Waiver public comment period is currently ongoing. To be considered prior to CMS submission, public comments must be received by 11:59 pm MT on August 31.**

**Mail.** Indicate either “Medicaid HELP Waiver” or “Medicaid WASP Waiver” in the address line

Department of Public Health and Human Services  
Director’s Office  
PO Box 4210  
Helena, MT 59604-4210

**Email.** Indicate either “Medicaid HELP Waiver” or “Medicaid WASP Waiver” in email’s subject line

[dphhscomments@mt.gov](mailto:dphhscomments@mt.gov)

# Presentation Order

1. **Background**
2. Proposed Waiver Amendment Requests for HELP and WASP
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# Status Update on Removal of 12-Month Continuous Coverage

**During the 2021 Legislative Session, Montana passed a budget that explicitly removed funding for 12-month continuous coverage for the HELP Waiver and directed DPHHS to terminate the policy.**

- The Budget was signed by Governor Gianforte on May 20, 2021.
- The 1115 Waiver for Additional Services and Populations (WASP) currently provides a 12-month continuous eligibility period for all non-expansion Medicaid-covered individuals whose eligibility is based on MAGI and for all Waiver Mental Health Service Plan (WMHSP) enrollees.
- DPHHS plans to submit identical amendments to the remove 12-month continuous eligibility provision for both the HELP and WASP waivers.
- While the WASP amendment was not directed by HB 2, DPHHS believes it would cause significant additional administrative burden to continue the 12-month continuous eligibility period in one waiver and not the other.

*\*DPHHS understands that it is required to maintain continuous Medicaid coverage during the public health emergency as a condition of receiving a temporary 6.2 percent Federal Medical Assistance Program (FMAP) increase under the Families First Response Act.*



# Limitations to Removing Continuous Coverage Requirements Under the Families First Coronavirus Response Act (FFCRA)

**DPHHS is federally required to maintain continuous Medicaid coverage during the federal PHE as a condition of receiving the temporary Federal Medical Assistance Percentage (FMAP) increase under the FFCRA.**

- As a condition of receiving a temporary 6.2 percent FMAP increase, states are required to maintain Medicaid coverage for enrollees through the end of the month in which the federal PHE ends.
  - The Biden Administration has signaled to states that the federal PHE is likely to be extended through December 31, 2021, if not longer.
- Continuous coverage requirements apply to individuals enrolled in Medicaid as of March 18, 2020, or who were determined eligible on or after that date.

# Summary of Montana's Pending Health and Economic Livelihood Partnership (HELP) Extension and Amendment 1115 Waiver Request

- In May 2019, **HB 658 reauthorized** Medicaid expansion and required new program changes to the HELP Program (e.g., work/community engagement requirements and premium increases).
- To effectuate those changes, in August 2019, **DPHHS submitted a Section 1115 Extension and Amendment Waiver Request that is currently pending** at CMS.
- In December 2020, CMS approved a **one-year extension** of the 1115 waiver which is now slated to expire on **December 31, 2021**.
- Based on CMS' withdrawal of other states' 1115 waivers with work/community engagement requirements, CMS has communicated to DPHHS that a **five-year extension of the Medicaid expansion waiver will not include work/community engagement requirements (premium increases in HB 658 were tied to work requirements)**.
- DPHHS expects to receive **formal guidance from CMS in the fall of 2021** with a final approved waiver amendment and extension **prior to December 31, 2021**.

# Summary of Montana's Current WASP Demonstration

- Montana's WASP Demonstration, formally known as the Basic Medicaid Waiver, has remained a positive source of Medicaid coverage since the program's inception in 1996.
- The WASP offers Standard Medicaid benefits to:
  - Individuals age 18 or older with SDMI who are otherwise ineligible for Medicaid benefits and either:
    - Have income 0-138% of the FPL and are eligible for or enrolled in Medicare; or
    - Have income 139-150% of the FPL regardless of Medicare status (they can be covered or not covered by Medicare and be eligible).
- The WASP Demonstration was extended by CMS in 2018 and is now effective January 1, 2018 through December 31, 2022.

# Background On Section 1115 Waiver Authority

- Under Section 1115 of the federal Social Security Act, the Secretary of Health and Human Services has authority to approve a state's request to waive compliance with provisions of federal Medicaid law
- An 1115 Waiver must be:
  - ✓ An experimental, pilot or demonstration project;
  - ✓ Likely to assist in promoting the objectives of the Medicaid program;
  - ✓ Budget neutral to the federal government; and
  - ✓ Limited in duration to the extent and period necessary to carry out the demonstration
- States must provide a public process for notice and comment on proposed demonstration applications and extensions

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# Amendment Eligible Populations

**This amendment request will affect the current populations served under the HELP and WASP Waivers.**

## HELP Waiver

- The amendment request will affect the New Adult Group with income between 0 and 138% of the Federal Poverty Line (FPL).

## WASP Waiver

- The amendment request will affect the current populations served by the WASP Program, including:
  - Covered individuals aged 18 or older with SDMI who are otherwise ineligible for Medicaid benefits and either:
    - Have income 0–138% of the FPL and are eligible for or enrolled in Medicare; or
    - Have income 139–150% of the FPL regardless of Medicare status (they can be covered or not covered by Medicare and be eligible).
  - Parents and Other Caretaker Relatives whose eligibility is based on section 1931 or 1925 of the Social Security Act and have income 0–24% FPL.

# Delivery System and Benefits

**This amendment request does not propose any changes to the Medicaid health care delivery system nor benefits for Demonstration enrollees for either waiver.**

## HELP and WASP Waivers

- **The State does not propose any changes to the Medicaid health care delivery system.**
- Demonstration enrollees will continue to receive services through the State's fee-for-service delivery system.
- Demonstration enrollees will continue to receive the same benefits as they currently receive; for HELP enrollees, through the Alternative Benefit Plan, and for WASP enrollees, the standard Medicaid benefits
- **The State does not propose any changes to benefits for Demonstration enrollees.**

# Cost Sharing

**This amendment request does not propose any changes to Medicaid cost-sharing structures for either waiver.**

## HELP Waiver

- Montana currently does not apply cost sharing to any of its Medicaid members and therefore **no cost sharing will be imposed under this 1115 amendment request.**
- All monthly premiums will be consistent with the HELP 1115 Waiver and Cost Sharing State Plan.

## WASP Waiver

- Cost sharing was removed from the Medicaid program as of January 1, 2020 and therefore **no cost sharing will be imposed under this 1115 amendment request.**
- This amendment will remove references to cost sharing and copayments that were in the previously approved waiver.



# Enrollment Projections and Annual Expenditures: HELP

- Montana is assuming that discontinuation of continuous eligibility policies for Medicaid expansion adults will have an estimated loss of 2.6% in coverage or change in eligibility group.
- Using the 2020 member months, Montana forecasts 29,083 fewer Medicaid expansion coverage months under the proposed amendment.
- The loss in coverage months will result in an estimated reduction of waiver expenditures of \$22,212,722 ( $29,083 \times 763.77 = 22,212,722$ ).

## Enrollment Projections and Annual Expenditures: WASP

- Montana is assuming that discontinuation of continuous eligibility policies for the WASP population will have an estimated loss of 2.6% in coverage or change in eligibility group.
- Using the 2020 member months, Montana forecasts 5,183 fewer WASP coverage months under the proposed amendment.
- The loss in coverage months will result in an estimated total state general fund savings of \$941,130 for State Fiscal Year (SFY) 2022 and a savings of \$953,258 for SFY 2023.

# Goals and Objectives: HELP and WASP

This amendment request does not propose any changes to or add additional goals or objectives for either waiver.

## HELP Waiver

- This amendment request is **seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment** and does not propose any future additional goals of the HELP Demonstration Program beyond what is proposed in the August 2019 1115 HELP Waiver Amendment and Extension Request.

## WASP Waiver

- This amendment request is **seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment** and does not propose any future additional goals of the WASP Demonstration Program.

# Legal Authorities: HELP and WASP

This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and does not propose any additional waiver and expenditure authority changes for either waiver.

## HELP Waiver

- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional waiver and expenditure authority changes to the HELP Demonstration Program** beyond what is proposed in the August 2019 1115 HELP Waiver Amendment and Extension Request.

## WASP Waiver

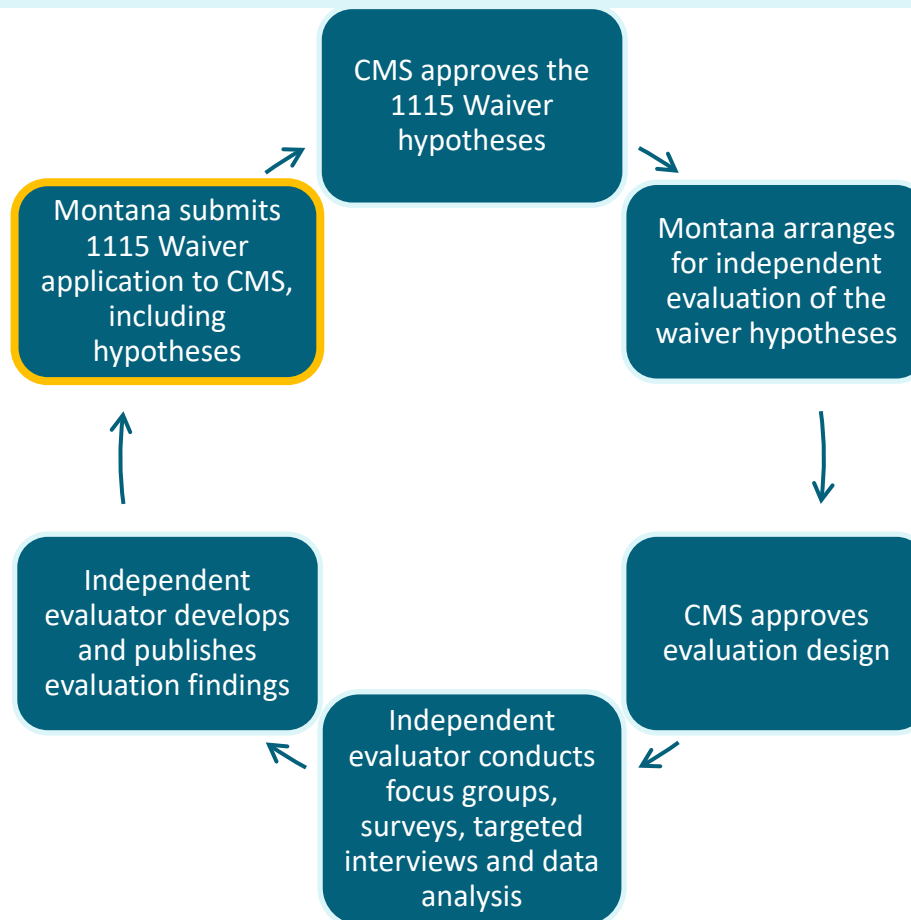
- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional waiver and expenditure authority changes to the WASP Demonstration Program.**

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# Waiver Application Evaluation Cycle

For each approved 1115 Waiver, Montana is required to arrange for an independent evaluation of the waiver's objectives and hypotheses that it wants to test.



# Evaluations and Monitoring: HELP and WASP

**This amendment request does not propose any changes to or add additional hypotheses for either waiver.**

## HELP Waiver

- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional hypotheses to the HELP Demonstration Program** beyond what is proposed in the August 2019 1115 HELP Waiver Amendment and Extension Request.

## WASP Waiver

- This amendment request is seeking to remove § 1115(a)(2) expenditure authority for 12-month continuous enrollment and **does not propose any additional hypotheses to the WASP Demonstration Program.**

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## Timeline & Next Steps:

Milestones	Proposed Timeline
<b><i>Conduct 60-day State public comment</i></b>	<b><i>July 3 – August 31, 2021</i></b>
Public Hearing (1 of 2)	July 28, 2021 (10:00 AM – 12:00 PM MT)
Public Hearing (2 of 2)	July 29, 2021 (1:00 PM – 3:00 PM MT)
Virtual Tribal Consultation	August 24, 2021
Review public comments and finalize documents for CMS submission	August– September 2021
<b><i>Submit HELP/WASP Waiver Amendments</i></b>	<b><i>By September 3, 2021</i></b>
CMS conducts federal 30-day public comment period	October 2021
Negotiations with CMS	November- December 2021
<b><i>Effective date of HELP/WASP Waiver Amendments</i></b>	<b><i>July 1, 2021</i></b>

# Ways To Provide Public Comments

Submit public comments by email, regular mail, or in-person until 11:59 pm on August 31.

A hard copy of the draft waiver application and public notice documents are available at the DPHHS Director's Office, 111 North Sanders St, Room 301, Helena, MT.

<b>By Phone</b>	(406) 444-2584
<b>By Email</b>	<a href="mailto:dphhscomments@mt.gov">dphhscomments@mt.gov</a>
<b>By Regular Mail</b>	Medicaid HELP Amendment <i>or</i> Medicaid WASP Amendment Director's Office PO Box 4210 Helena, MT 59604-4210
<b>In Person</b>	August 24 Tribal Consultation